THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.744 of 2007

25.1.2007

Between:

K.Jyothi, D/o.Chenchayya Naidu
And another

… Petitioners

AND

The District Collector, Visakhapatnama
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.744 of 2007

ORDER:

The first petitioner purchased house site admeasuring 97 Sq.yards in survey No.59/6 under registered sale deed dated 11.7.2003 from one K.Srinivasa Reddy. Likewise, second petitioner purchased land admeasuring 153 Sq.yards in survey No.58/3 from D.Ramanaiah under registered sale deed dated 13.4.1995. These lands are situated at Kakani Nagar of Gopalapatnam in Visakhapatnam. The petitioners allege that the second respondent came to the premises on 21.11.2006 and informed that they should vacate the houses as otherwise, they would be evicted with police force. Apprehending such coercive action, the present writ petition is filed.

This Court while ordering notice before admission on 11.1.2007 ordered *status quo* and directed the learned Assistant Government Pleader for Revenue (Assignment) to file counter affidavit. In spite of the same, learned Assistant Government Pleader did not file counter nor got any instructions from the respondents.

After hearing the learned Counsel for the petitioners and learned Assistant Government Pleader, this Court is of considered opinion that the writ petition can be disposed of, observing that unless and until the petitioners are put on notice, they cannot be evicted from their house sites bearing survey Nos.59/6 and 58/3. This observation would be sufficient redressal to the petitioners for the present.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

January 25, 2007.
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